

# United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

ECF CASE

DISCOVER FINANCIAL SERVICES, INC.

## SUMMONS IN A CIVIL CASE

v.

CASE NUMBER:

04 CV 7844

VISA U.S.A., INC., VISA INTERNATIONAL  
SERVICE ASSOCIATION, MASTERCARD  
INTERNATIONAL INCORPORATED and  
MASTERCARD INCORPORATED

TO: (Name and address of defendant)

Visa U.S.A., Inc.  
900 Metro Center Boulevard  
Foster City, California 94404-2172

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Matthew L. Cantor, Esq.  
Jeffrey I. Shinder, Esq.  
Constantine & Partners  
477 Madison Avenue  
New York, NY 10022

William H. Pratt, Esq.  
Kirkland & Ellis  
Citigroup Center  
153 East 53rd Street  
New York, NY 10022

an answer to the complaint which is herewith served upon you, within THIRTY days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

**L MICHAEL McMAHON**

OCT 04 2004

CLERK

DATE

*Melanie L. Lopez*

(BY) DEPUTY CLERK

AO 440 (Rev. 10/93) Summons in a Civil Action -SDNY WEB 4/99

**RETURN OF SERVICE**

Service of the Summons and Complaint was made by me <sup>(1)</sup>	DATE <i>10/5/04</i>
NAME OF SERVER (PRINT) <i>MATTHEW L. CANTOR</i>	TITLE <i>PARTNER</i>

Check one box below to indicate appropriate method of service

- Served personally upon the defendant. Place where served: \_\_\_\_\_
- Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left: \_\_\_\_\_
- Returned unexecuted: \_\_\_\_\_

Other (specify): *AFTER BEING ADVISED BY COUNSEL FOR VISA U.S.A. AS TO WHERE AND ON WHOM TO SERVE THE COMPLAINT, THE SUMMONS AND COMPLAINT WERE SENT BY FEDERAL EXPRESS TO STEVE THEODORIS, Esq., VISA U.S.A. Esq., 123 MISSION STREET, 20<sup>TH</sup> FL., S.F., CA 94103-1551*

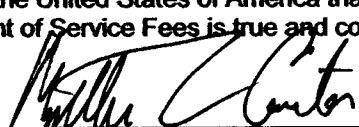
**STATEMENT OF SERVICE FEES**

94105-1551

TRAVEL	SERVICES	TOTAL
<b>DECLARATION OF SERVER</b>		

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 10/6/04  
Date

  
 Signature of Server  
*CANTORINI + PARTNERS, PC.*  
*477 MADISON AVE*  
*NEW YORK, NY 10022*  
 Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.